

621—5.2(20) Eligibility—voter eligibility list.

5.2(1) *Eligible voters.* Eligible voters are those employees who:

- a.* Were employed in the bargaining unit during the payroll period immediately preceding the direction of election unless another date is agreed upon by the parties and the agency, and
- b.* Are employed in the bargaining unit on the date of the election.

5.2(2) *Eligible voter list.*

a. When the agency files a notice of intent to conduct a retention and recertification election or an order that an election be conducted, the employer shall, within seven days of the notice or order, e-mail to the agency an alphabetical list of the names, addresses, e-mail addresses, and job classifications of the employees eligible to vote, except as provided in subrule 5.6(8). Where a telephonic/Web-based election is ordered, the list of eligible voters shall also include the employee's date of birth, the last four digits of the employee's social security number and any other information required by the agency.

b. The agency shall file the list of eligible voters' names and job classifications. This list shall become the official voting list for the election to be conducted. The agency shall provide to the employee organization the voter list with the employees' contact information. The employer shall e-mail additions or deletions of employees' names, changes in job classifications or addresses to the agency to reflect the current status of eligible voters. The parties may further amend the list by agreement.

5.2(3) *Challenges.* A party may challenge, for good cause, the eligibility of any voter in accordance with subrule 5.3(2), 5.3(3) or 5.3(4), whichever is applicable to the election being conducted. Whenever challenged ballots are determinative of the outcome of an election, a hearing shall be scheduled.

[ARC 3278C, IAB 8/30/17, effective 8/10/17]